

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ANDREW WOLFINGTON</b> , <i>individually and on behalf of all others similarly situated</i>  <b>v.</b>  <b>RECONSTRUCTIVE ORTHOPAEDIC ASSOCIATES II, a/k/a “THE ROTHMAN INSTITUTE”</b>	<b>CIVIL ACTION</b>  <b>NO. 16-4935</b>
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**AMENDED ORDER AND FINAL JUDGMENT**

Following this Court’s Order dismissing the Complaint in this case (ECF 23), counsel for Plaintiff filed Motions for Reconsideration (ECF 31 and 51), which were denied by this Court’s Order of October 17, 2017 (ECF 52). On November 1, 2017, Defendant filed a certification of fees and costs, pursuant to this Court’s Order on September 29, 2017 (ECF 49).

The Court previously found that sanctions under Fed. R. Civ. P. 11 were warranted against Plaintiff’s counsel in the amount of Defendant’s attorney’s fees and costs (ECF 49–50). In accord with Defendant’s certification of fees and costs (ECF 53), the Court **ORDERS** and **AWARDS** attorney’s fees and costs for \$38,447.91. The Court understands Plaintiff’s counsel has already paid Defendant this amount. If not, payment shall be made forthwith.

Accordingly, on this 25th day of January, 2018, the Court **ORDERS** that this case be removed from suspense status. Final judgment is entered under Fed. R. Civ. P. 54 in favor of Defendant and against Plaintiff, and under Fed. R. Civ. P. 11, in favor of the Rothman Institute and against Plaintiff’s counsel, attorneys Arkady Rayz, Michael Yarnoff, and Gerald Wells. This Order modifies and amends the Court’s Order issued on January 22, 2018 (ECF 56). The Clerk of Court shall close this case.

**BY THE COURT:**

**Date: 1/25/18**

/s/ Michael M. Baylson  
**MICHAEL M. BAYLSON**  
**United States District Court Judge**

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